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General Assembly

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Sixtieth session
Agenda item 80

Report of the International Law Commission on the work of its fifty-seventh session

Report of the Sixth Committee

Rapporteur: Ms. Shermain **Jeremy** (Antigua and Barbuda)

I. Introduction

1. The item entitled "Report of the International Law Commission on the work of its fifty-seventh session" was included in the provisional agenda of the sixtieth session of the General Assembly pursuant to Assembly resolution 59/41 of 2 December 2004.

2. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 11th to 20th and 22nd meetings, from 24 to 26 and on 28 and 31 October, and from 1 to 3 and on 16 November 2005. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/60/SR.11-20 and 22).

4. For its consideration of the item, the Committee had before it the report of the International Law Commission on the work of its fifty-seventh session.[1]

5. The Chairman of the International Law Commission at its fifty-seventh session introduced the report of the Commission: chapters I to III, VI, VIII and XII at the 11th meeting, on 24 October; chapters IV, IX and X at the 13th meeting, on 26 October; and chapters V, VII and XI at the 17th meeting, on 31 October (see A/C.6/60/SR.11, 13 and 17, respectively).

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 10* (A/60/10).

05-60722 (E) 211105

II. Consideration of draft resolution A/C.60/L.14

6. At the 22nd meeting, on 16 November, the representative of Jordan, on behalf of the Bureau, introduced a draft resolution entitled "Report of the International Law Commission on the work of its fifty-seventh session" (A/C.6/60/L.14).

7. At the same meeting the Committee adopted draft resolution A/C.6/60/L.14 without a vote (see para. 8).

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the International Law Commission on the work of its fifty-seventh session

The General Assembly,

Having considered the report of the International Law Commission on the work of its fifty-seventh session,[1]

Emphasizing the importance of furthering the codification and progressive development of international law as a means of implementing the purposes and principles set forth in the Charter of the United Nations and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,[2]

Recognizing the desirability of referring legal and drafting questions to the Sixth Committee, including topics that might be submitted to the International Law Commission for closer examination, and of enabling the Sixth Committee and the Commission to enhance further their contribution to the progressive development of international law and its codification,

Recalling the need to keep under review those topics of international law which, given their new or renewed interest for the international community, may be suitable for the progressive development and codification of international law and therefore may be included in the future programme of work of the International Law Commission,

Welcoming the holding of the International Law Seminar, and noting with appreciation the voluntary contributions made to the United Nations Trust Fund for the International Law Seminar,

Stressing the usefulness of focusing and structuring the debate on the report of the International Law Commission in the Sixth Committee in such a manner that conditions are provided for concentrated attention to each of the main topics dealt with in the report and for discussions on specific topics,

Wishing to enhance further, in the context of the revitalization of the debate on the report of the International Law Commission, the interaction between the Sixth Committee as a body of governmental representatives and the Commission as a body of independent legal experts, with a view to improving the dialogue between the two bodies,

Welcoming initiatives to hold interactive debates, panel discussions and question time in the Sixth Committee, as envisaged in resolution 58/316 of 1 July 2004 on further measures for the revitalization of the work of the General Assembly,

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[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 10* (A/60/10).

[2] Resolution 2625 (XXV), annex.

1. *Takes note* of the report of the International Law Commission on the work of its fifty-seventh session,[1] and recommends that the Commission continue its work on the topics in its current programme, taking into account the comments and observations of Governments, whether submitted in writing or expressed orally in debates in the General Assembly;

2. *Expresses its appreciation* to the International Law Commission for the work accomplished at its fifty-seventh session, and encourages the Commission to complete its work on those topics that are near completion during its fifty-eighth session, taking into account the views expressed by Governments during the debates of the Sixth Committee, and any written comments that may be submitted by Governments;

3. *Draws the attention* of Governments to the importance for the International Law Commission of having their views on the following, which were adopted by the Commission at its fifty-sixth session:

(a) The draft articles and commentary on diplomatic protection;[3]

(b) The draft principles on the allocation of loss in the case of transboundary harm arising out of hazardous activities;[4]

4. *Invites* Governments to provide information to the International Law Commission, as requested in chapter III of its report,[5] regarding:

(a) Shared natural resources;

(b) Effects of armed conflicts on treaties;

(c) Responsibility of international organizations;

(d) Expulsion of aliens;

(e) Unilateral acts of States;

(f) Reservations to treaties;

5. *Endorses* the decision of the International Law Commission to include the topic "The obligation to extradite or prosecute (*aut dedere aut judicare*)" in its programme of work;

6. *Invites* the International Law Commission to continue taking measures to enhance its efficiency and productivity;

7. *Encourages* the International Law Commission to continue taking cost-saving measures at its future sessions without prejudice to the efficiency of its work;

8. *Takes note* of paragraph 502 of the report of the International Law Commission, and decides that the next session of the Commission shall be held at the United Nations Office at Geneva from 1 May to 9 June and from 3 July to 11 August 2006;

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[3] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 10* (A/59/10), para. 59.

[4] Ibid., para. 175.

[5] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 10* (A/60/10), paras. 24-29.

9. *Welcomes* the enhanced dialogue between the International Law Commission and the Sixth Committee at the sixtieth session of the General Assembly, stresses the desirability of further enhancing the dialogue between the two bodies, and in this context encourages, inter alia, the continued practice of informal consultations in the form of discussions between the members of the Sixth Committee and the members of the Commission attending the sixty-first session of the Assembly;

10. *Encourages* delegations, during the debate on the report of the International Law Commission to adhere as far as possible to the structured work programme agreed to by the Sixth Committee and to consider presenting concise and focused statements;

11. *Encourages* Member States to consider being represented at the level of legal adviser during the first week in which the report of the International Law Commission is discussed in the Sixth Committee (International Law Week) to enable high-level discussions on issues of international law;

12. *Requests* the International Law Commission to continue to pay special attention to indicating in its annual report, for each topic, any specific issues on which expressions of views by Governments, either in the Sixth Committee or in written form, would be of particular interest in providing effective guidance for the Commission in its further work;

13. *Takes note* of paragraphs 503 to 509 of the report of the International Law Commission with regard to cooperation with other bodies, and encourages the Commission to continue the implementation of article 16, paragraph (e), and article 26, paragraphs 1 and 2, of its statute in order to further strengthen cooperation between the Commission and other bodies concerned with international law, having in mind the usefulness of such cooperation;

14. *Notes* that consulting with national organizations and individual experts concerned with international law may assist Governments in considering whether to make comments and observations on drafts submitted by the International Law Commission and in formulating their comments and observations;

15. *Reaffirms* its previous decisions concerning the indispensable role of the Codification Division of the Office of Legal Affairs of the Secretariat in providing assistance to the International Law Commission;

16. *Approves* the conclusions reached by the International Law Commission in paragraph 498 of its report, and reaffirms its previous decisions concerning the documentation and summary records of the Commission;[6]

17. *Expresses the hope* that the International Law Seminar will continue to be held in connection with the sessions of the International Law Commission and that an increasing number of participants, in particular from developing countries, will be given the opportunity to attend the Seminar, and appeals to States to continue to make urgently needed voluntary contributions to the United Nations Trust Fund for the International Law Seminar;

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[6] See resolutions 32/151, para. 10, and 37/111, para. 5, and all subsequent resolutions on the annual reports of the International Law Commission to the General Assembly.

18. *Requests* the Secretary-General to provide the International Law Seminar with adequate services, including interpretation, as required, and encourages him to continue considering ways to improve the structure and content of the Seminar;

19. *Also requests* the Secretary-General to forward to the International Law Commission, for its attention, the records of the debate on the report of the Commission at the sixtieth session of the General Assembly, together with such written statements as delegations may circulate in conjunction with their oral statements, and to prepare and distribute a topical summary of the debate, following established practice;

20. *Requests* the Secretariat to circulate to States, as soon as possible after the conclusion of the session of the International Law Commission, chapter II of its report containing a summary of the work of that session, chapter III containing the specific issues on which the views of Governments would be of particular interest to the Commission and the draft articles adopted on either first or second reading by the Commission;

21. *Recommends* that the debate on the report of the International Law Commission at the sixty-first session of the General Assembly commence on 23 October 2006.

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General Assembly

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Sixtieth session
Agenda item 82

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

Report of the Sixth Committee

Rapporteur: Ms. Shermain **Jeremy** (Antigua and Barbuda)

I. Introduction

1. The item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" was included in the provisional agenda of the sixtieth session of the General Assembly pursuant to Assembly resolution 59/44 of 2 December 2004.

2. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 7th, 8th and 21st meetings, on 14 and 19 October and on 9 November 2005. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/60/SR.7, 8 and 21).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[1]

(b) Report of the Secretary-General on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions (A/60/320);

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33* (A/60/33).

05-59947 (E) 151105

(c) Report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* (A/60/124).

5. At the 7th meeting, on 14 October, the Chairman of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization introduced the report of the Special Committee (see A/C.6/60/SR.7).

II. Consideration of draft resolution A/C.6/60/L.13

6. At the 21st meeting, on 9 November, the representative of Egypt introduced a draft resolution entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization" (A/C.6/60/L.13).

7. At the same meeting, the Secretary of the Committee made a statement regarding the programme budget implications of the draft resolution (see A/C.6/60/SR.21).

8. Also at the same meeting, the Committee adopted draft resolution A/C.6/60/L.13 without a vote (see para. 10).

9. The representative of the Bolivarian Republic of Venezuela spoke in explanation of position before taking action on the draft resolution, dissociating Venezuela from the provisions of preambular paragraphs 12 and 13 (see A/C.6/60/SR.21).

III. Recommendation of the Sixth Committee

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization

The General Assembly,

Recalling its resolution 3499 (XXX) of 15 December 1975, by which it established the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization, and its relevant resolutions adopted at subsequent sessions,

Recalling also its resolution 47/233 of 17 August 1993 on the revitalization of the work of the General Assembly,

Recalling further its resolution 47/62 of 11 December 1992 on the question of equitable representation on and increase in the membership of the Security Council,

Taking note of the report of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council,[1]

Recalling the elements relevant to the work of the Special Committee contained in its resolution 47/120 B of 20 September 1993,

Recalling also its resolution 51/241 of 31 July 1997 on the strengthening of the United Nations system and its resolution 51/242 of 15 September 1997, entitled "Supplement to an Agenda for Peace", by which it adopted the texts on coordination and the question of sanctions imposed by the United Nations, which are annexed to that resolution,

Concerned about the special economic problems confronting certain States arising from the carrying out of preventive or enforcement measures taken by the Security Council against other States, and taking into account the obligation of Members of the United Nations under Article 49 of the Charter of the United Nations to join in affording mutual assistance in carrying out the measures decided upon by the Council,

Recalling the right of third States confronted with special economic problems of that nature to consult the Security Council with regard to a solution of those problems, in accordance with Article 50 of the Charter,

Recalling also that the International Court of Justice is the principal judicial organ of the United Nations, and reaffirming its authority and independence,

Taking note of the ongoing debate on the revised working papers on the working methods of the Special Committee,

[1] *Official Records of the General Assembly, Fifty-ninth Session, Supplement No. 47* (A/59/47).

Taking note also of the report of the Secretary-General on the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council*,[2]

Taking note further of paragraphs 106 to 110, 176 and 177 of the 2005 World Summit Outcome,[3]

Mindful of the decision of the Special Committee, in which it expressed its readiness to engage, as appropriate, in the implementation of any decisions that may be taken at the High-level Plenary Meeting of the sixtieth session of the General Assembly in September 2005 that concern the Charter and any amendments thereto,[4]

Recalling the provisions of its resolutions 50/51 of 11 December 1995, 51/208 of 17 December 1996, 52/162 of 15 December 1997, 53/107 of 8 December 1998, 54/107 of 9 December 1999, 55/157 of 12 December 2000, 56/87 of 12 December 2001, 57/25 of 19 November 2002, 58/80 of 9 December 2003 and 59/45 of 2 December 2004,

Recalling also its resolution 59/44 of 2 December 2004,

Having considered the report of the Special Committee on the work of its session held in 2005,[5]

Noting with appreciation the work done by the Special Committee to encourage States to focus on the need to prevent and to settle peacefully their disputes which are likely to endanger the maintenance of international peace and security,

1. *Takes note* of the report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization;[5]

2. *Decides* that the Special Committee shall hold its next session from 3 to 13 April 2006;

3. *Requests* the Special Committee, at its session in 2006, in accordance with paragraph 5 of General Assembly resolution 50/52 of 11 December 1995:

(a) To continue its consideration of all proposals concerning the question of the maintenance of international peace and security in all its aspects in order to strengthen the role of the United Nations and, in this context, to consider other proposals relating to the maintenance of international peace and security already submitted or which may be submitted to the Special Committee at its session in 2006;

(b) To continue to consider, on a priority basis and in an appropriate substantive manner and framework, the question of the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions under Chapter VII of the Charter based on

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[2] A/60/124.

[3] See resolution 60/1.

[4] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33* (A/60/33), para. 77.

[5] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 33* (A/60/33).

all of the related reports of the Secretary-General[6] and the proposals submitted on the question;

(c) To keep on its agenda the question of the peaceful settlement of disputes between States;

(d) To consider, as appropriate, any proposal referred to it by the General Assembly in the implementation of the decisions of the High-level Plenary Meeting of the sixtieth session of the Assembly in September 2005 that concern the Charter and any amendments thereto;

(e) To continue to consider, on a priority basis, ways and means of improving its working methods and enhancing its efficiency with a view to identifying widely acceptable measures for future implementation;

4. *Invites* the Special Committee at its session in 2006 to continue to identify new subjects for consideration in its future work with a view to contributing to the revitalization of the work of the United Nations;

5. *Notes* the readiness of the Special Committee to provide, within its mandate, such assistance as may be sought at the request of other subsidiary bodies of the General Assembly in relation to any issues before them;

6. *Requests* the Special Committee to submit a report on its work to the General Assembly at its sixty-first session;

7. *Recognizes* the important role of the International Court of Justice, the principal judicial organ of the United Nations, in adjudicating disputes among States and the value of its work, as well as the importance of having recourse to the Court in the peaceful settlement of disputes;

8. *Stresses* the desirability of finding practical ways and means to strengthen the Court, taking into consideration, in particular, the needs resulting from its workload;

9. *Takes note* of the progress made in the preparation of studies of the *Repertory of Practice of United Nations Organs* and their posting on the Internet in three languages, as well as the progress made towards updating the *Repertoire of the Practice of the Security Council* and posting advance versions of individual chapters on the Internet;

10. *Welcomes* the establishment of the trust fund to eliminate the backlog of the *Repertory of Practice of United Nations Organs*, and encourages States to make voluntary contributions to the trust fund and to bring the question of funding for the *Repertory* to the attention of private institutions and individuals that may wish to assist in that regard, as well as to consider the sponsoring, on a voluntary basis, and with no cost to the United Nations, of associate experts to assist in the preparation of the studies;

11. *Encourages* the enhanced cooperation with academic institutions and the use of the internship programme for the preparation of studies;

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[6] A/48/573-S/26705, A/49/356, A/50/60-S/1995/1, A/50/361, A/50/423, A/51/317, A/52/308, A/53/312, A/54/383 and Add.1, A/55/295 and Add.1, A/56/303, A/57/165 and Add.1, A/58/346, A/59/334 and A/60/320.

12. *Requests* the Secretary-General to continue his efforts, within the level of the currently approved budget, towards making available electronically all versions of the *Repertory of Practice of United Nations Organs* as early as possible;

13. *Endorses* the efforts of the Secretary-General to eliminate the backlog in the publication of the *Repertoire of the Practice of the Security Council*;

14. *Encourages* contributions to the trust fund for the updating of the *Repertoire of the Practice of the Security Council*;

15. *Requests* the Secretary-General to submit a report on both the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* to the General Assembly at its sixty-first session;

16. *Also requests* the Secretary-General to submit a report on the implementation of the provisions of the Charter of the United Nations related to assistance to third States affected by the application of sanctions to the General Assembly at its sixty-first session, under the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization";

17. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization".

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Sixtieth session
Agenda item 83

Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel

Report of the Sixth Committee

Rapporteur: Ms. Shermain **Jeremy** (Antigua and Barbuda)

I. Introduction

1. The item entitled "Scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel" was included in the provisional agenda of the sixtieth session of the General Assembly pursuant to Assembly resolution 59/47 of 2 December 2004.

2. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 8th, 9th and 22nd meetings, on 19 and 20 October and 16 November 2005. The statements made during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/60/SR.8, 9 and 22).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel;[1]

(b) Report of the Working Group of the Sixth Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel (A/C.6/60/L.4).

5. At its 1st meeting, on 3 October, the Sixth Committee established a Working Group to continue the work of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 52* (A/60/52).

05-61438 (E) 281105

Personnel, established pursuant to General Assembly resolution 56/89 of 12 December 2001, and elected Christian Wenaweser (Liechtenstein), as Chairman of the Working Group.

6. At the 8th meeting of the Sixth Committee, on 19 October, the Chairman of the Ad Hoc Committee and of the Working Group introduced the report of the Ad Hoc Committee and the report of the Working Group. It was announced that informal consultations on the text of a draft optional protocol would continue among interested delegations during the session, with a view to finalizing discussions on the outstanding issues. At the same meeting, pursuant to General Assembly resolution 59/47, the Legal Counsel presented an oral report on measures taken to implement that resolution.

II. Consideration of draft resolution A/C.6/60/L.11

7. At the 22nd meeting, on 16 November, the Chairman of the Ad Hoc Committee and of the Working Group, on behalf of the Bureau, introduced a draft resolution entitled "Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel" (A/C.6/60/L.11), to which was annexed the text of the Optional Protocol.

8. At the same meeting, the Chairman made a statement drawing attention to linguistic changes to be made to the text of the draft resolution (see A/C.6/60/SR.22).

9. Also at its 22nd meeting, the Committee adopted draft resolution A/C.6/60/L.11 without a vote (see para. 12).

10. Before the adoption of the draft resolution, the representatives of the Syrian Arab Republic, Venezuela (Bolivarian Republic of), the Sudan, Colombia and Iran (Islamic Republic of) made statements in explanation of position (see A/C.6/60/SR.22).

11. After the adoption of the draft resolution, the representatives of Cuba, Costa Rica, Guatemala, New Zealand and Jordan made statements in explanation of position (see A/C.6/60/SR.22).

III. Recommendation of the Sixth Committee

12. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel

The General Assembly,

Recalling its resolution 59/47 of 2 December 2004 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel,

Recalling also its resolution 49/59 of 9 December 1994, by which it adopted the Convention on the Safety of United Nations and Associated Personnel ("the Convention"),

Noting that the Convention, which entered into force on 15 January 1999, has been ratified or acceded to by seventy-nine States as at the date of the present resolution,

Reaffirming, in the context of the Convention and its Optional Protocol, the importance of maintaining the integrity of international humanitarian law,

Reaffirming also the obligation of all humanitarian personnel and United Nations and associated personnel to respect the national laws of the country in which they are operating, in accordance with international law and the Charter of the United Nations,

Deeply concerned by the increasing dangers and security risks faced by United Nations and associated personnel at the field level, and mindful of the need to provide the fullest possible protection for their security,

Having considered the report of the Ad Hoc Committee on the Scope of Legal Protection under the Convention on the Safety of United Nations and Associated Personnel,[1] established pursuant to resolution 56/89 of 12 December 2001, and the report of the Working Group of the Sixth Committee,[2]

Recalling paragraph 167 of the 2005 World Summit Outcome,[3] which stressed the need to conclude negotiations on a protocol expanding the scope of legal protection of United Nations and associated personnel during the sixtieth session of the General Assembly,

Underlining the need to promote the universality of the Convention and thereby strengthen the safety and security of United Nations and associated personnel,

Encouraging States to enact national legislation, as necessary, in order to enable the implementation of the Convention and the Protocol,

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[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 52* (A/60/52).

[2] A/C.6/60/L.4.

[3] See resolution 60/1.

1. *Adopts*, therefore, the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel, which is contained in the annex to the present resolution, and requests the Secretary-General as depositary to open it for signature;

2. *Invites* States to become parties to the Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel.

Annex

Optional Protocol to the Convention on the Safety of United Nations and Associated Personnel

The States Parties to this Protocol,

Recalling the terms of the Convention on the Safety of United Nations and Associated Personnel, done at New York on 9 December 1994,

Deeply concerned over the continuing pattern of attacks against United Nations and associated personnel,

Recognizing that United Nations operations conducted for the purposes of delivering humanitarian, political or development assistance in peacebuilding and of delivering emergency humanitarian assistance which entail particular risks for United Nations and associated personnel require the extension of the scope of legal protection under the Convention to such personnel,

Convinced of the need to have in place an effective regime to ensure that the perpetrators of attacks against United Nations and associated personnel engaged in United Nations operations are brought to justice,

Have agreed as follows:

Article I
Relationship

This Protocol supplements the Convention on the Safety of United Nations and Associated Personnel, done at New York on 9 December 1994 (hereinafter referred to as "the Convention"), and as between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as a single instrument.

Article II
Application of the Convention to United Nations operations

1. The Parties to this Protocol shall, in addition to those operations as defined in article 1 (c) of the Convention, apply the Convention in respect of all other United Nations operations established by a competent organ of the United Nations in accordance with the Charter of the United Nations and conducted under United Nations authority and control for the purposes of:

(a) Delivering humanitarian, political or development assistance in peacebuilding, or

(b) Delivering emergency humanitarian assistance.

2. Paragraph 1 does not apply to any permanent United Nations office, such as headquarters of the Organization or its specialized agencies established under an agreement with the United Nations.

3. A host State may make a declaration to the Secretary-General of the United Nations that it shall not apply the provisions of this Protocol with respect to an operation under article II (1) (b) which is conducted for the sole purpose of responding to a natural disaster. Such a declaration shall be made prior to the deployment of the operation.

Article III
Duty of a State Party with respect to article 8 of the Convention

The duty of a State Party to this Protocol with respect to the application of article 8 of the Convention to United Nations operations defined in article II of this Protocol shall be without prejudice to its right to take action in the exercise of its national jurisdiction over any United Nations or associated personnel who violates the laws and regulations of that State, provided that such action is not in violation of any other international law obligation of the State Party.

Article IV
Signature

This Protocol shall be open for signature by all States at United Nations Headquarters for twelve months, from 16 January 2006 to 16 January 2007.

Article V
Consent to be bound

1. This Protocol shall be subject to ratification, acceptance or approval by the signatory States. Instruments of ratification, acceptance or approval shall be deposited with the Secretary-General of the United Nations.

2. This Protocol shall, after 16 January 2007, be open for accession by any non-signatory State. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

3. Any State that is not a State Party to the Convention may ratify, accept, approve or accede to this Protocol if at the same time it ratifies, accepts, approves or accedes to the Convention in accordance with articles 25 and 26 thereof.

Article VI
Entry into force

1. This Protocol shall enter into force thirty days after twenty-two instruments of ratification, acceptance, approval or accession have been deposited with the Secretary-General of the United Nations.

2. For each State ratifying, accepting, approving or acceding to this Protocol after the deposit of the twenty-second instrument of ratification, acceptance, approval or accession, the Protocol shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification, acceptance, approval or accession.

Article VII
Denunciation

1. A State Party may denounce this Protocol by written notification to the Secretary-General of the United Nations.

2. Denunciation shall take effect one year following the date on which notification is received by the Secretary-General of the United Nations.

Article VIII
Authentic texts

The original of this Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations, who shall send certified copies thereof to all States.

Done at New York this ... (day) ... (month) ... (year).

United Nations A/60/519

General Assembly

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Sixtieth session
Agenda item 108

Measures to eliminate international terrorism

Report of the Sixth Committee

Rapporteur: Ms. Shermain **Jeremy** (Antigua and Barbuda)

I. Introduction

1. The item entitled "Measures to eliminate international terrorism" was included in the provisional agenda of the sixtieth session of the General Assembly pursuant to its resolution 59/46 of 2 December 2004.

2. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 3rd to 6th, 10th and 23rd meetings, on 6, 7, 10 and 21 October and on 29 November 2005. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/60/SR.3-6, 10 and 23).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996;[1]

(b) Report of the Secretary-General on measures to eliminate international terrorism (A/60/228 and Add.1);

(c) Report of the Secretary-General on strengthening international cooperation and technical assistance in preventing and combating terrorism (A/60/164);

(d) Report of the Working Group on measures to eliminate international terrorism (A/C.6/60/L.6);

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 37* (A/60/37).

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(e) Proposal to facilitate discussion by the Friends of the Chairman of the Working Group on measures to eliminate international terrorism: proposed addition to article 18 of the draft comprehensive convention on international terrorism (A/C.6/60/INF/1);

(f) Proposal to facilitate discussion by the Friends of the Chairman of the Working Group on measures to eliminate international terrorism: proposed preambular paragraph of the draft comprehensive convention on international terrorism (A/C.6/60/INF/2);

(g) Letter dated 3 August 2005 from the Chairman of the Sixth Committee to the President of the General Assembly (A/59/894);

(h) Letter dated 13 July 2005 from the representative of Kazakhstan to the Secretary-General (A/60/129);

(i) Letter dated 1 September 2005 from the representative of Egypt to the Secretary-General (A/60/329);

(j) Letter dated 6 September 2005 from the representative of the Russian Federation to the Secretary-General (A/60/336);

(k) Letter dated 17 September 2005 from the representative of Bahrain to the Secretary-General (A/60/388-S/2005/612);

(l) Identical letters dated 26 September 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the Secretary-General and to the President of the Security Council (A/60/382-S/2005/609);

(m) Identical letters dated 27 September 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the Secretary-General and to the President of the Security Council (A/60/385-S/2005/610);

(n) Note verbale dated 28 September 2005 from the Permanent Mission of Madagascar to the Secretary-General (A/60/403-S/2005/621);

(o) Letter dated 29 September 2005 from the representative of the Republic of Moldova to the Secretary-General (A/60/405-S/2005/623);

(p) Letter dated 29 September 2005 from the representative of the Bolivarian Republic of Venezuela to the Secretary-General (A/60/406-S/2005/624);

(q) Letter dated 30 September 2005 from the representative of Egypt to the Chairman of the Sixth Committee (A/C.6/60/2);

(r) Letter dated 30 September 2005 from the representative of Cuba to the Secretary-General (A/60/408-S/2005/626);

(s) Letter dated 5 October 2005 from the Chairman of the Organization of the Islamic Conference to the Chairman of the Sixth Committee (A/C.6/60/3);

(t) Identical letters dated 17 October 2005 from the Chargé d'affaires a.i. of the Permanent Mission of Israel to the Secretary-General and the President of the Security Council (A/60/435-S/2005/655);

(u) Letter dated 17 October 2005 from the representative of Yemen to the Secretary-General (A/60/440 and Corr. 2-S/2005/658 and Corr. 2);

(v) Letter dated 21 October 2005 from the representative of Spain to the Secretary-General (A/60/447);

(w) Identical letters dated 27 October 2005 from the representative of Israel to the Secretary-General and the President of the Security Council (A/60/448-S/2005/680);

(x) Identical letters dated 27 October 2005 from the representative of Israel to the Secretary-General and the President of the Security Council (A/60/449-S/2005/681);

(y) Letter dated 1 November 2005 from the representative of Cuba to the Secretary-General (A/60/531);

(z) Letter dated 3 November 2005 from the representative of Cuba to the Secretary-General (A/60/538-S/2005/700);

(aa) Identical letters dated 21 November 2005 from the representative of Israel to the Secretary-General and the President of the Security Council (A/60/563-S/2005/731).

5. Pursuant to paragraph 19 of General Assembly resolution 59/46, the Committee, at its 1st meeting, on 3 October, established a working group with a view to finalizing the draft comprehensive convention on international terrorism and to keep on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations. At the same meeting, the Committee re-elected Rohan Perera (Sri Lanka) as the Chairman of the Working Group (A/C.6/60/SR.1). The Working Group held three plenary meetings, on 10, 12 and 14 October.

6. At the 3rd and 10th meetings, on 6 and 21 October, the Chairman of the Ad Hoc Committee established pursuant to General Assembly resolution 51/210 and the Working Group introduced the reports of the Ad Hoc Committee and of the Working Group, respectively (see A/C.6/60/SR.3 and 10).

II. Consideration of draft resolution A/C.6/60/L.12

7. At the 23rd meeting, on 29 November, the representative of Poland, on behalf of the Bureau, introduced a draft resolution entitled "Measures to eliminate international terrorism" (A/C.6/60/L.12).

8. At the same meeting, the Secretary of the Committee made a statement regarding the programme budget implications of the draft resolution (see A/C.6/60/SR.23).

9. Also at the same meeting, the Committee adopted draft resolution A/C.6/60/L.12 without a vote (see para. 10).

III. Recommendation of the Sixth Committee

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[1]

Recalling also the United Nations Millennium Declaration,[2]

Recalling further the 2005 World Summit Outcome, and reaffirming in particular the section on terrorism,[3]

Recalling the Declaration on Measures to Eliminate International Terrorism, contained in the annex to General Assembly resolution 49/60 of 9 December 1994, and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, contained in the annex to resolution 51/210 of 17 December 1996,

Recalling also all General Assembly resolutions on measures to eliminate international terrorism, and Security Council resolutions on threats to international peace and security caused by terrorist acts,

Convinced of the importance of the consideration of measures to eliminate international terrorism by the General Assembly as the universal organ having competence to do so,

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Reaffirming its strong condemnation of the heinous acts of terrorism that have caused enormous loss of human life, destruction and damage, including those which prompted the adoption of General Assembly resolution 56/1 of 12 September 2001, as well as Security Council resolutions 1368 (2001) of 12 September 2001, 1373 (2001) of 28 September 2001 and 1377 (2001) of 12 November 2001, and those that have occurred since the adoption of the latter resolution,

Recalling the strong condemnation of the atrocious and deliberate attack against the headquarters of the United Nations Assistance Mission for Iraq in Baghdad on 19 August 2003 in General Assembly resolution 57/338 of 15 September 2003 and Security Council resolution 1502 (2003) of 26 August 2003,

Affirming that States must ensure that any measure taken to combat terrorism complies with all their obligations under international law and adopt such measures

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[1] See resolution 50/6.

[2] See resolution 55/2.

[3] See resolution 60/1.

in accordance with international law, in particular international human rights, refugee and humanitarian law,

Stressing the need to strengthen further international cooperation among States and among international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, in accordance with the principles of the Charter, international law and the relevant international conventions,

Noting the role of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism in monitoring the implementation of that resolution, including the taking of the necessary financial, legal and technical measures by States and the ratification or acceptance of the relevant international conventions and protocols,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Mindful also of the essential need to strengthen international, regional and subregional cooperation aimed at enhancing the national capacity of States to prevent and suppress effectively international terrorism in all its forms and manifestations,

Reiterating its call upon States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there is a comprehensive legal framework covering all aspects of the matter,

Emphasizing that tolerance and dialogue among civilizations, and enhancing interfaith and intercultural understanding, are among the most important elements in promoting cooperation and success in combating terrorism, and welcoming the various initiatives to this end,

Reaffirming that no terrorist act can be justified in any circumstances,

Recalling Security Council resolution 1624 (2005) of 14 September 2005, and bearing in mind that States must ensure that any measure taken to combat terrorism complies with their obligations under international law, in particular international human rights, refugee and humanitarian law,

Taking note of the Final Document of the Thirteenth Conference of Heads of State or Government of Non-Aligned Countries, adopted in Kuala Lumpur on 25 February 2003,[4] which reiterated the collective position of the Movement of Non-Aligned Countries on terrorism and reaffirmed the previous initiative of the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held in Durban, South Africa, from 29 August to 3 September 1998,[5] calling for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations, as well as other relevant initiatives,

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[4] A/57/759-S/2003/332, annex I.

[5] See A/53/667-S/1998/1071, annex I, paras. 149-162.

Bearing in mind the recent developments and initiatives at the international, regional and subregional levels to prevent and suppress international terrorism,

Noting regional efforts to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed, including through the elaboration of and adherence to regional conventions,

Recalling its decision in resolutions 54/110 of 9 December 1999, 55/158 of 12 December 2000, 56/88 of 12 December 2001, 57/27 of 19 November 2002, 58/81 of 9 December 2003 and 59/46 of 2 December 2004 that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 should address, and keep on its agenda, the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Aware of its resolutions 57/219 of 18 December 2002, 58/187 of 22 December 2003 and 59/191 of 20 December 2004,

Having examined the report of the Secretary-General,[6] the report of the Ad Hoc Committee established by resolution 51/210[7] and the report of the Working Group of the Sixth Committee established pursuant to resolution 59/46,[8]

1. *Strongly condemns* all acts, methods and practices of terrorism in all its forms and manifestations as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call upon* all States to adopt further measures in accordance with the Charter of the United Nations and the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (a) to (f) of resolution 51/210;

4. *Also reiterates its call upon* all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Reiterates its call upon* States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Urges* States to ensure that their nationals or other persons and entities within their territory that wilfully provide or collect funds for the benefit of persons or entities who commit, or attempt to commit, facilitate or participate in the commission of terrorist acts are punished by penalties consistent with the grave nature of such acts;

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[6] A/60/228 and Add.1. See also A/60/164.

[7] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 37* (A/60/37).

[8] A/C.6/60/L.6.

7. *Reminds* States of their obligations under relevant international conventions and protocols and Security Council resolutions, including Security Council resolution 1373 (2001), to ensure that perpetrators of terrorist acts are brought to justice;

8. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter, international law and relevant international conventions;

9. *Welcomes* the adoption and opening for signature of the International Convention for the Suppression of Acts of Nuclear Terrorism,[9] and notes the adoption of the Amendment to the Convention on the Physical Protection of Nuclear Material,[10] the Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation[11] and the Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf,[12] and urges all States to consider, as a matter of priority, becoming parties to these instruments;

10. *Urges* all States that have not yet done so to consider, as a matter of priority, and in accordance with Security Council resolutions 1373 (2001), and 1566 (2004) of 8 October 2004, becoming parties to the relevant conventions and protocols as referred to in paragraph 6 of General Assembly resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,[13] the International Convention for the Suppression of the Financing of Terrorism[14] and the International Convention for the Suppression of Acts of Nuclear Terrorism, and calls upon all States to enact, as appropriate, the domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

11. *Urges* States to cooperate with the Secretary-General and with one another, as well as with interested intergovernmental organizations, with a view to ensuring, where appropriate within existing mandates, that technical and other expert advice is provided to those States requiring and requesting assistance in becoming parties to and implementing the conventions and protocols referred to in paragraph 10 above;

12. *Notes with appreciation and satisfaction* that, consistent with the call contained in paragraph 9 of resolution 59/46, a number of States became parties to the relevant conventions and protocols referred to therein, thereby realizing the objective of wider acceptance and implementation of those conventions;

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[9] Resolution 59/290, annex.

[10] Adopted on 8 July 2005 by the Conference to Consider Proposed Amendments to the Convention on the Physical Protection of Nuclear Material.

[11] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/21).

[12] Adopted on 14 October 2005 by the Diplomatic Conference on the Revision of the SUA Treaties (LEG/CONF.15/22).

[13] Resolution 52/164, annex.

[14] Resolution 54/109, annex.

13. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism and the Declaration to Supplement the 1994 Declaration on Measures to Eliminate International Terrorism, and calls upon all States to implement them;

14. *Calls upon* all States to cooperate to prevent and suppress terrorist acts;

15. *Urges* all States and the Secretary-General, in their efforts to prevent international terrorism, to make the best use of the existing institutions of the United Nations;

16. *Requests* the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime in Vienna to continue its efforts to enhance, through its mandate, the capabilities of the United Nations in the prevention of terrorism, and recognizes, in the context of Security Council resolution 1373 (2001), its role in assisting States in becoming parties to and implementing the relevant international conventions and protocols relating to terrorism, including the International Convention for the Suppression of Acts of Nuclear Terrorism, and in strengthening international cooperation mechanisms in criminal matters related to terrorism, including through national capacity-building;

17. *Welcomes* the publication by the Secretariat, as part of the United Nations Legislative Series, of the second volume of *National Laws and Regulations on the Prevention and Suppression of International Terrorism*,[15] prepared by the Codification Division of the Office of Legal Affairs of the Secretariat pursuant to paragraph 10 (b) of the Declaration on Measures to Eliminate International Terrorism;

18. *Invites* regional intergovernmental organizations to submit to the Secretary-General information on the measures they have adopted at the regional level to eliminate international terrorism, as well as on intergovernmental meetings held by those organizations;

19. *Requests* the Secretary-General to submit proposals to strengthen the capacity of the United Nations system to assist States in combating terrorism and enhance coordination of United Nations activities in this regard;

20. *Notes* the progress attained in the elaboration of the draft comprehensive convention on international terrorism during the meetings of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 and the Working Group of the Sixth Committee established pursuant to General Assembly resolution 59/46, and welcomes continuing efforts to that end;

21. *Decides* that the Ad Hoc Committee shall, on an expedited basis, continue to elaborate the draft comprehensive convention on international terrorism, and shall continue to discuss the item included in its agenda by General Assembly resolution 54/110 concerning the question of convening a high-level conference under the auspices of the United Nations;

22. *Decides also* that the Ad Hoc Committee shall meet from 27 February to 3 March 2006 in order to fulfil the mandate referred to in paragraph 21 above;

23. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

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[15] ST/LEG/SER.B/23 and 24.

24. *Requests* the Ad Hoc Committee to report to the General Assembly at its sixtieth session in the event of the completion of the draft comprehensive convention on international terrorism;

25. *Also requests* the Ad Hoc Committee to report to the General Assembly at its sixty-first session on progress made in the implementation of its mandate;

26. *Welcomes* any update by the Secretary-General of the comprehensive inventory of the response of the Secretariat to terrorism as part of his report on measures to eliminate international terrorism;

27. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Measures to eliminate international terrorism".

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Report of the Committee on Relations with the Host Country

Report of the Sixth Committee

Rapporteur: Ms. Shermain **Jeremy** (Antigua and Barbuda)

I. Introduction

1. The item entitled "Report of the Committee on Relations with the Host Country" was included in the provisional agenda of the sixtieth session of the General Assembly pursuant to Assembly resolution 59/42 of 2 December 2004.

2. At its 17th plenary meeting, on 20 September 2005, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 21st meeting, on 9 November 2005. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/60/SR.21).

4. For its consideration of the item, the Committee had before it the report of the Committee on Relations with the Host Country.[1]

5. At the 21st meeting, on 9 November, the Chairman of the Committee on Relations with the Host Country introduced the report of that Committee (see A/C.6/60/SR.21).

[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 26* (A/60/26).

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II. Consideration of draft resolution A/C.6/60/L.15

6. At the 21st meeting, on 9 November, the representative of Cyprus, on behalf of Bulgaria, Canada, Costa Rica, Côte d'Ivoire and Cyprus, introduced a draft resolution entitled "Report of the Committee on Relations with the Host Country" (A/C.6/60/L.15).

7. At the same meeting, the Committee adopted draft resolution A/C.6/60/L.15 without a vote (see para. 8).

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Report of the Committee on Relations with the Host Country

The General Assembly,

Having considered the report of the Committee on Relations with the Host Country,[1]

Recalling Article 105 of the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations,[2] the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations[3] and the responsibilities of the host country,

Recalling also that, in accordance with paragraph 7 of General Assembly resolution 2819 (XXVI) of 15 December 1971, the Committee should consider, and advise the host country on, issues arising in connection with the implementation of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,

Recognizing that effective measures should continue to be taken by the competent authorities of the host country, in particular to prevent any acts violating the security of missions and the safety of their personnel,

1. *Endorses* the recommendations and conclusions of the Committee on Relations with the Host Country contained in paragraph 72 of its report;[1]

2. *Considers* that the maintenance of appropriate conditions for the normal work of the delegations and the missions accredited to the United Nations and the observance of their privileges and immunities, which is an issue of great importance, are in the interest of the United Nations and all Member States, and requests the host country to continue to solve, through negotiations, problems that might arise and to take all measures necessary to prevent any interference with the functioning of missions;

3. *Notes* that the Committee will continue to review the implementation of the Parking Programme for Diplomatic Vehicles,[4] with a view to addressing the problems experienced by some permanent missions in that respect and continuously ensuring its proper implementation in a manner that is fair, non-discriminatory, effective and therefore consistent with international law and that it shall remain seized of the matter;

4. *Expresses its appreciation* for the efforts made by the host country, and hopes that the issues raised at the meetings of the Committee will continue to be resolved in a spirit of cooperation and in accordance with international law;

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[1] *Official Records of the General Assembly, Sixtieth Session, Supplement No. 26* (A/60/26).
[2] Resolution 22 A (I).
[3] See resolution 169 (II).
[4] A/AC.154/355, annex.

5. *Notes* that during the reporting period some travel restrictions previously imposed by the host country on staff of certain missions and staff members of the Secretariat of certain nationalities were removed, and requests the host country to consider removing the remaining travel restrictions, and in this regard notes the positions of affected States, as reflected in the report of the Committee, and the positions of the Secretary-General and of the host country;

6. *Notes also* that the Committee anticipates that the host country will enhance its efforts to ensure the issuance, in a timely manner, of entry visas to representatives of Member States, pursuant to article IV, section 11, of the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations,[3] for travel to New York on United Nations business, and notes that the Committee anticipates that the host country will enhance efforts, including visa issuance, to facilitate the participation of representatives of Member States in other United Nations meetings as appropriate;

7. *Notes further* that a number of delegations have requested a shortening of the time frame applied by the host country for the issuance of entry visas to representatives of Member States, since the time frame poses difficulties for the full-fledged participation of Member States in United Nations meetings;

8. *Requests* the Secretary-General to remain actively engaged in all aspects of the relations of the United Nations with the host country;

9. *Requests* the Committee to continue its work in conformity with General Assembly resolution 2819 (XXVI);

10. *Decides* to include in the provisional agenda of its sixty-first session the item entitled "Report of the Committee on Relations with the Host Country".